

IN RE:

SCOTT JAMES CARTER

CASE NO: 09-70465-HDH-13

HEARING DATE: 6/16/2010

HEARING TIME: 10:00am

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2009-03 and would respectively show unto to the Court as follows:

l.

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
012 0 P *	STATE OF CALIFORNIA	\$1,714.00	013 0 U	BANK OF AMERICA	\$9,645.00
	<i>Provided priority; no claim filed.</i>				
014 0 U	BANK OF AMERICA	\$15,007.00	015 0 U	BANK OF THE WEST	\$13,441.00
016 0 U	CAPITAL ONE	\$21,035.64	017 0 U	CREDIT PROTECTION	\$452.00
018 0 U	JEFFERSON CAPITAL SYSTEMS LLC	\$12,540.55	020 0 U	NCO FINANCIAL SYSTEMS	\$10,951.00
021 0 U	NCO MEDCLR	\$91.00	022 0 U	PINNACLE CREDIT SERVICE	\$12,517.00
023 0 U	PINNACLE CREDIT SERVICE	\$145.00	024 0 U	PROGRESSIVE INSURANCE	\$453.12
025 0 U	RELIANT ENERGY	\$600.00			

11.

No Objections

III.

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<u>SECURED CREDITORS</u>							
008 0	FOUR STAR MOTORS	2003 CHEVROLET S-10 PU	\$5,566.86	\$8,050.00	10.00%	60	\$137.58 PAID BY TRUSTEE
009 0 *	JACK CAD	96-97; 09 PROPERTY TAXES/306 N DEPOT	\$401.76	\$5,000.00			
	Paid in Full.						
010 0	GENCO FEDERAL CREDIT UNION	2002 MAZDA 626	\$0.00	\$5,000.00			SURRENDERED
030 0	INTERNAL REVENUE SERVICE	02 INCOME TAXES	\$6,855.00	\$5,000.00	4.00%	60	\$88.70 PAID BY TRUSTEE
034 0 *	FOUR STAR MOTORS	LOAN -- DISALLOWED	\$5,566.86				
	Disallowed per order on objection entered 11-30-2009.						
039 0 *	JACK CAD	09 PROPERTY TAXES	\$11.15	\$11.15			PD DIRECT BY DEBTOR
	Not provided for in confirmed plan. See modification below.						

PRIORITY CREDITORS

003 0 INTERNAL REVENUE SERVICE

02, 04-05, 07 INCOME TAXES

\$9,745.66

60 \$203.03 PAID BY TRUSTEE

UNSECURED GENERAL CREDITORS

<u>Trustee Clm#</u>	<u>Creditor Name</u>	<u>Claim Amount</u>
011 0 U	SHASTA COUNTY TAX COLLECTOR	\$865.53
	2002-2003 TAXES	
026 0 U	TRIAD FINANCIAL CORPORATION	\$12,273.57
	LOAN	
031 0 U *	INTERNAL REVENUE SERVICE	\$1,130.61
	03 INCOME TAXES	
	<i>Not provided for in confirmed plan.</i>	

<u>Trustee Clm#</u>	<u>Creditor Name</u>	<u>Claim Amount</u>
019 0 U	FRANCHISE TAX BOARD	\$2,346.21
	SERVICES	
030 1 U	INTERNAL REVENUE SERVICE	\$1,855.00
	SPLIT CLAIM/02 INCOME TAXES	
032 0 U *	INTERNAL REVENUE SERVICE	\$6,148.95
	PENALTY	
	<i>Not provided for in confirmed plan.</i>	

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

IV.**TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2009-03 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

The secured claim filed by Jack CAD in the amount of \$11.15 shall be fully valued and paid direct.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 6/16/2010 AT 10:00am CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

LIVE: US COURTHOUSE ROOM 222, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2009-03 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 4/20/2010

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

AMANDA CARTER PO BOX 491 BRYSON TX 76427
BANK OF AMERICA 4161 PIEDMONT PKWY GREENSBORO NC 27410
BANK OF THE WEST ATTN BANKRUPTCY 1450 TREAT BLVD WALNUT CREEK CA 94597
CAPITAL ONE 6125 LAKEVIEW ROAD, STE 800 CHARLOTTE NC 28269
CREDIT PROTECTION 13355 NOEL RD STE 2100 DALLAS TX 75240
FOUR STAR MOTORS PO BOX 210 HENRIETTA TX 76365
FRANCHISE TAX BOARD BANKRUPTCY SECTION MS A340 PO BOX 2952 SACRAMENTO CA 95812
FRANCHISE TAX BOARD SPECIAL PROCEDURES PO BOX 2952 SACRAMENTO CA 95812
GENCO FEDERAL CREDIT UNION PO BOX 7246 WACO TX 76714
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114
JACK CAD 2323 BRYAN STREET SUITE 1600 DALLAS TX 75201
JACK COUNTY LINEBARGER GOGGAN BLAIR & SAMPSON 2323 BRYAN ST 1720 STE1600 DALLAS TX 75201
JEFFERSON CAPITAL SYSTEMS LLC PO BOX 7999 SAINT CLOUD MN 56302
JOHN MALONE ATTORNEY AT LAW 1838 N VALLEY MILLS DRIVE WACO TX 76710
LINEBARGER GOGGAN BLAIR & SAMPSON 2323 BRYAN STREET SUITE 1600 DALLAS TX 75201
MARLIN MEDCLR INOVISION 507 PRUDENTIAL ROAD HORSHAM PA 19044
MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS TX 76301
NCO FINANCIAL SYSTEMS PO BOX 41448 PHILADELPHIA PA 19101
NCO MEDCLR PO BOX 41448 PHILADELPHIA PA 19101
PINNACLE CREDIT SERVICE 7900 HWY 7 #100 SAINT LOUIS PARK MN 55426
PROGRESSIVE INSURANCE PO BOX 52677 PHOENIX AZ 85072
RELIANT ENERGY PO BOX 4932 HOUSTON TX 77210
ROAD LOANS.COM 5201 RUFÉ SNOW DRIVE #400 NORTH RICHARD HILLS TX 76180
SCOTT JAMES CARTER PO BOX 491 BRYSON TX 76427
SHASTA COUNTY TAX COLLECTOR PO BOX 99-1830 REDDING CA 96099
STATE OF CALIFORNIA FRANCHISE TAX BOARD PO BOX 942867 SACRAMENTO CA 94267
TRIAD FINANCIAL CORP 5201 RUFÉ SNOW DR STE 400 NORTH RICHLAND HILLS TX 76180
TRIAD FINANCIAL CORPORATION 5201 RUFÉ SNOW DRIVE NORTH RICHLAND HILLS TX 76180
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE 3RD FLOOR DALLAS TX 75242
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242